

## REMARKS

Applicant gratefully acknowledges the allowance of claims 3, 4, and 6-15. Rejected claims 1, 2, and 5 have been cancelled without prejudice to their being further prosecuted in a continuing application in order to facilitate the issuance of the allowed claims. Withdrawn claim 20 has also been cancelled without prejudice.

Applicant has also amended withdrawn claim 16 to conform to the changes made to claim 11 in the most recent amendment, specifically the addition of the hopper limitation as well as change the terminology from burn chamber to combustion chamber. Dependent claims 18 and 19 have also been amended to remove the limitations directed to improving crop growth and increasing the level of sulphur in the crops. As a result, method claim 16 now contains all of the structural limitations of allowed claim 11 and thus is patentable over the prior art for at least the same reasons claim 11 was found to be allowed. The remaining withdrawn claims 17-19 all depend directly from claim 16 and thus also contain all of the structural limitations of allowed claim 11. As all of the currently pending elected product claims are in condition for allowance and the process claims are patentable over the prior art for the same reasons as the allowed product claims and do not otherwise raise any issues the require further consideration, Applicant respectfully asserts that it is appropriate to enter this amendment, withdraw the restriction requirement and allow all the pending claims as provided in M.P.E.P. §821.04(b).

It is respectfully submitted that the above amendments should be entered even after the final office action because it results in all of the pending claims being in proper form for allowance. Accordingly, allowance of this application is respectfully requested. To the extent that the Examiner is not inclined to issue a notice of allowance, Applicant respectfully requests the opportunity to conduct an interview with the Examiner to discuss any remaining issues. The Commissioner is hereby authorized to charge any fees due in connection with the filing of this paper, whether for an extension of time or otherwise, to the Locke Lord Bissell & Liddell LLP deposit account no. 12-1781.

Date: May 21, 2010

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark R. Backofen', written over a horizontal line.

Mark R. Backofen

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